



Town of Sheffield

Planning Board

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Public Hearing Minutes

Regarding a Special Permit Application by Store-It-All, Earnest Riva, To Establish a Business in the Sheffield Business Park and Construct 4 Storage Unit Buildings.

Wednesday, January 14, 2015, 7:30 PM

TOWN HALL – 2nd FLOOR MEETING ROOM

Board Members Present: James T. Collingwood Jr. Chairman
Daniel Watson
David A. Smith Sr.,
Marie Massini-Reynolds
Anthony Gulotta

Members of the Public Present:

Nadine Hawver
Jack Trierweiler, City Moves
Keven Moran, City Moves
Attorney Alexandra Glover, representing Sparx Management LLC
Brian Riva
Bob Brigham, Sheffield Land Trust
Rene Wood
Tom Lynch
Jim Scalise, SK Design Group Inc.
Maggie Brigham, Four Corners

Chairman J. Collingwood summarized the Special Permit Application and cited the Notice of Public Hearing publication dates, Dec 12th and Dec 19th in the Berkshire Record. The number assigned by the Planning Board to the Special Permit Application is 121014.

Ed McCormick appeared before the Board representing Store-it-all Inc., owned by the Riva family. Attorney McCormick explained that his client is under contract to purchase lot #4, a 4.1 acre parcel, from Borestone LLC. Attorney McCormick said that he has filed an extensive and exhaustive Special Permit Application with the Planning Board as the project pertains to the Sheffield Zoning Bylaws. He summarized the project stating that it will consist of construction of 4 Self Storage Unit Buildings ranging from 4,000 to 9,550 square feet and that the property will be fenced with gates for security purposes. Also included in the project is a planned septic system and well.

Jim Scalise a civil engineer with SK Design group, reviewed the overall site design. He stated the following: the site is ready for development with utilities available, it is a shovel ready project. The project is located in the General Business District. His firm has looked at all requirements, frontage, setbacks and they are respecting all zoning setbacks. The building is 25 feet where 30 feet is allowed. A drinking water well already exists. He has performed a perc test and found gravel class one soil. Mr. Scalise demonstrated plans for septic and well utilities on a map. He said that they will be complying with all town and state regulations, that no sprinklers are required by the town and that there are no wetlands. Regarding landscaping, he stated that other developed lots on the property are minimally landscaped. He reminded the Board that the Industrial Park is screened by trees. Regarding parking he said that customers tend to park at their unit. He explained that they will drive through a gate and get permission from the facility manager to enter. He said that there will be no dumpster because then people will abuse the dumpster. Mr. Scalise reviewed storm water management: no point source discharge, there will be a curtain drain along the edge of the parking area and percolate into the ground, there will be no net increase in runoff. He pointed out that this is a low traffic area, there are 2 local roads from Route 7 to the site. On the local street, there are about 10-12 vehicle trips per hour on a weekday 16 vehicle trips per hour. He believes there will be no traffic impact with Route 7 right there. He pointed out that the Master Plan discusses many vacant industrial acres and that this proposal fits quite well with the master plan. He said the lighting will be down cast. He explained that he must obtain other permits from Board of Health and Building Inspector for this project.

Attorney McCormick said the Board must make the following findings:

Does the project serve the social, economic and community needs? He stated that this project augments the tax base without excessive use as it would be otherwise an unused parcel of vacant land. He said that people need to store things, this project adds business diversity without being a drain on public resources like the school system. He said that there will be less than 1% traffic impact on Route 7.

Attorney McCormick said that there will be at most only one employee, police presence will not be necessary.

Attorney McCormick said the project is appropriate for the character of neighborhood. Other buildings in the Business Park are similar in construction.

Attorney McCormick said the project will increase amenities and bring a needed business to the town of Sheffield

Attorney McCormick said the project will have no environmental impact. He said that the property is screened, and that there will be no noise, no manufacturing, dust, vibrations smoke, fumes, light intrusion or glare. He said the business will be adequately screened from abutters and street.

Attorney McCormick said the project will not affect the natural habitat or pollute water. He said that water will flow away from the buildings.

Attorney McCormick said that Town services will not be impacted at all.

J. Collingwood Jr. asked for questions from the Board. M. Massini Reynolds asked about the traffic impact on East Stahl Road. Engineer answered: To require a curb cut you need 2000 trips a day. A residential home generates 10 trips a day so this project would generate impact of a small neighborhood. This project will produce no noticeable impact. All traffic is turning toward Route 7, not going down E. Stahl Road.

Brian Riva addressed traffic impact. He said that he made a 2 week activity log of the existing business in Sheffield farther north on Route 7. One day 2 cars came in, another day 3 another day 4. The average was 1 person per hour per 100 units. He expects 4-5 people a day at this new facility. The same customer will make 2-3 trips in a day to unload. He said there would be a pretty minimal traffic impact.

D. Watson asked how many units will there be all together? Mr. Riva answered, if all 4 buildings are build 200-230 units, about 60 units per building.

Mikey Riva said it makes sense to have lots of small units if economy isn't good. If the economy is good larger units are needed.

D. Smith Sr. stated that Sheffield requires that that buildings should be harmonious and compatible, he notices that some buildings have orange doors and he thinks blue or green would be better. The Rivas said they agreed and showed pictures of what the facility will look like.

J. Collingwood Jr. asked about the timetable regarding completion. Mickey Riva said that he will build one building and see how it does and then build or not accordingly.

J. Collingwood Jr. asked about signage. Mickey Riva said that there will be small signs which are described in the application.

Kevin Moran from City Moves, spoke in support of the permit, he said he would like to build a similar project. They tried to propose a similar project and met great resistance from the town. They have worked with Store-it-all. He has lost all that money from being stopped.

Dave Brigham said his company is Four Corners, he bought the property in the Business Park for a wood shop then the state changed the building code requiring sprinklers, he had an agreement with the town that if he sells it for more than he paid for it the town gets half.

Attorney Alex Glover explained that she represents the owners of Lot 1, Spark Management LLC. She stated the following: She uses Store-it-all, she has 4-5 units. Her client opposes this. Is this a permitted use? Is it a use that should be permitted under your special permit requirements? She distributed a packet to the Board. Sheffield, in creating the business park, said what it wanted. They wanted low impact commercial businesses that did not have the public coming and doing businesses at the office park. Similarly the zoning bylaw says for light manufacturing and agricultural purposes. A large number of individual warehouse units is not the same as a warehouse. In 2006 the Planning Board recognized the distinction. City Moves can store items

on site but only their employees can access them. MA law also treats self-storage facilities and warehouses differently. The proposed business falls best under “service establishment” which is not permitted under any form in the general business district. The concern here is that the general public is coming 24/7, there is a security risk, her client Spark is concerned about possible criminal activity. Such a business changes the nature of the office park. She doesn’t believe self-storage units are permitted and this Board has already made that determination once.

Attorney McCormick responded that the application for City Moves was amended, they weren’t denied. He said a warehouse is a building used for storage. These buildings are used primarily for storage.

Kevin Moran explained that they amended their Special Permit Application at the time because we were denied, Kate was our lawyer, the Board said no self-storage, Rene was on the Board at that time. J. Collingwood Jr. clarified. He said that they were not denied in a public hearing permit process.

Rene Wood spoke as a private citizen and said the following: She received a call from a constituent who was concerned about this permit and the special covenants that go with this land. She has a copy of the special decision which says that the owner must abide by the Sheffield Business Park Covenants. She thinks it is important for the Board to look at the precedents established by preceding boards. Ms. Wood distributed her prepared remarks to the Board members which she also read. She said that it was important to know what the vision of the area was by the town, that the Business Park should be developed by light manufacturing and that the Covenant supplements the zoning bylaws of this town, these are in addition to the bylaws which are less restrictive. She was part of the Planning Board when they extended the Special Permit for Borestone. Then the state of MA did blanket extensions of all building permits. When the town went back to pursue the possibility of purchasing the land they found that they had run through the time available for repurchase. The Planning Board at that time was bound by the declaration of protective covenants which protects the town and the others in the business park who have complied with the covenants. She believes this applicant should be treated the same. Ward Co. wanted to use it for their commercial greenhouse operation, had to deny them. She has stood with the Rivas before, they are good business owners and she hopes that they will find a property in Sheffield to do their business.

Attorney McCormick said that he is aware of the protective covenant but there will be no outside storage here. He pointed out that Ms. Wood granted a permit for Storage as a member of the Planning Board.

Rene Wood responded that their internal business of warehousing was a subsidiary use to their main business. She said that she wanted to grant City Moves a Special Permit, but the Planning Board at the time was constrained could not but instead worked with them on what was possible.

Attorney Glover addressed the Bylaw and Declaration of Protective Covenants. She said the question is whether this business is appropriate to the proposed location and town land use objectives, the Business Park is meant to be light industrial not be a place for the public to come on site.

D. Watson asked whether the hours of operation are 24/7? Mickey Riva said that companies that run several shifts need to be able to access the facility. He said that they plan to rent to businesses which get started early in the morning. He explained that was the basic reason they are open 24 hours. He never knows when a business owner will need something. Tanya Riva reminded the Board that the facility will not be wide open, they have to enter their own personal code. Maggie Brigham, part of Four Corners said that if the concern is about traffic, she sees very little traffic for the mini-storage.

Kevin Moran asked if they could they set the key pad to limit hours? Mickey Riva answered, yes, but that they don't want to limit access because it would limit their business.

J. Collingwood Jr. asked for any other comments from the Board or Public. There were no more comments or questions.

D. Smith Sr. made a motion to close the Public Hearing, his motion was seconded by A. Gullotta. and approved unanimously At 8:40 PM The Public Hearing was closed.

Deliberations will be January 28, 7pm at the next Planning Board regular meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nadia Milleron".

Nadia Milleron
Secretary to the Planning Board